

ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO.
80-8 AND INCORPORATING THE CHANGES FROM THE FIRST
ANNUAL REVIEW OF THE PALM BEACH COUNTY COMPREHENSIVE
PLAN, PROVIDING FOR; AMENDMENTS TO COMPREHENSIVE PLAN;
REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND
EFFECTIVE DATE.

WHEREAS, the "Local Government Comprehensive Planning Act of
1975," as amended, Section 163.3161, et seq., Florida Statutes, requires
each local government in the State of Florida to adopt a Comprehensive Plan
to guide and control future development; and

WHEREAS, the Board of County Commissioners of Palm Beach County
Florida, pursuant to said act, adopted Ordinance No. 80-8 establishing the
Palm Beach County Comprehensive Plan; and

WHEREAS, the Comprehensive Plan provides for an annual review
to determine the necessity of any changes proposed by the County or members
of the public; and

WHEREAS, on July 21, 1981, the Board of County Commissioners
sitting as the Palm Beach County Local Planning Agency reviewed all
proposed changes and thereafter sitting as the Board of County Commissioners
received such recommendations and adopted the following plan changes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; that:

SECTION I. AMENDMENTS TO COMPREHENSIVE PLAN

The Palm Beach County Comprehensive Plan Future Land Use
Element which was attached as an exhibit to the Palm Beach County Ordinance
No. 80-8 is hereby amended as follows:

A. Page 8, Specific Permitted Commercial and Industrial
locations and special land use policies and regulations by reference area,
is hereby amended to add the following Special Commercial Potential
Designations;

1) Area No. 8

6. Southeast corner of Westgate Avenue and Osceola Driv

2) Area No. 9 - (Industrial Potential)

8. East side of Cleary Road, North of Southern Boulevard
(Tracts 50, 51, 70 and West 1/2 of Tracts 49, 52, 69, Block 5, Palm Beach
Farms Company Plat No. 3).

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3) Area No. 16

15. West side of Congress Avenue, South of Prince Drive to LWDD L-14 Canal.

16. North side of Northwest Second Avenue, 1/4 Mile West of Congress Avenue. All parcels at intersection of Northwest Second Avenue and 33rd Terrace South, currently zoned CN (expands Easterly the allowed intersection of Knuth Dairy Farm Road).

17. Intersection of I-95 and Lantana Road - (Principal Southwest corner).

4) Area No. 18

9. West side of S. R. 7, approximately 1.5 miles South of Delray West Road (Northwest corner of S. R. 7 and LWDD Canal L36 1/2 W).

5) Area No. 19

12. East side of Military Trail 1/4 Mile South of Lake Ida Road (Southeast corner of Trail and LWDD L-32 Canal).

6) Area No. 20

11. Southwest corner of Delray West Road and Via Flora Road.

7) Area No. 21

5. Northeast corner of Southwest 18th Street and Palm Dorol Road.

8) Area No. 22

5. West side of S. R. 7, North of Hillsboro Canal (West side of S. R. 7 from Hillsboro Canal North to the quarter section line of Section 36, Township 47 South, Range 41 East).

B. Page 9, Area 6, Special Policies; a second special policy is hereby added as follows:

2. "The Conservation Area in Sections 3, 10 and 16, Township 43 South, Range 42 East, and Sections 27 and 34, Township 42 South, Range 42 East, will be delineated by identification of wetland characteristic by the County in conjunction with the applicable regulatory agencies and is not intended to follow any section line or other imaginary boundary."

C. Page 5, General Commercial and Industrial reference areas and special land use policies and regulations;

General Policies, No. 11 is hereby added as follows:

1 11. "Adult Congregate Living and Foster Care
2 Facilities as defined in the Local Government Comprehensive Planning Act,
3 may be located in any area designated as M-MH or MH-H in the Land Use Plan
4 Classification System, or any other area in which extended or multi-family
5 dwellings are permitted, including Agricultural Districts in accordance
6 with regulations established in the Palm Beach County Zoning Ordinance."

7 D. Page 5, Land Use Plan Map Categories, Industrial; the
8 following language is hereby included:

9 "The regulations of the Zoning Ordinance known as
10 Planned Industrial Park District (PIPD) shall be the regulations referred
11 to in the Planned Industrial District designation in the preceding sentence"

12 E. Page 8, Area 2, Special Policies; the following language
13 hereby included:

14 3. The area within the Pratt and Whitney Utilities
15 Service Area is hereby included within the Urban Service Area Designation,
16 (Year 2000).

17 F. Page 17, II Central Region; the last sentence of
18 Paragraph A is amended to read as follows:

19 "To be consistent with the Land Use Plan Element, no
20 extension of service outside the Industrial Complex, which includes those
21 areas East of Highway 710 designated as Industrial in the Land Use Plan and
22 physically contiguous Planned Industrial Park Districts, is recommended."

23 G. Page 14, Performance Standards - Additional Consideration
24 a new section is hereby created as follows:

25 EXCEPTIONS - "Where all required performance standards
26 cannot be satisfied, property may be rezoned to a Residential Zoning
27 Classification not greater than two classifications below the highest
28 density classification permitted in the Land Use Plan category. Such
29 classification and maximum net densities shall be established by the
30 minimum development regulations in the Palm Beach County Zoning Ordinance
31 and shall not exceed the following:

	<u>Plan Category</u>	<u>Maximum Permitted Residential Zoning</u>	<u>Maximum Permitted Residential Density</u>
1			
2	Very Low	AR	1 Unit/5 Acres
3	Very Low-Low	RE	1 Unit/2 1/2 Acres
4	Low-Medium	RT	1 Unit/Acre
	Medium-Medium High	RTS	2 Units/Acre
	Medium High-High	RS	3 Units/Acre

5 H. Page 12, Area 26, Special Policy No. 1 is hereby created
6 to read:

7 "The Northwest quarter of Section 8, and the North 1/2
8 of Section 9, both in Township 44 South, Range 37 East, shall be changed
9 to the Very Low Density Residential category.

10 I. Page 12, Area 26, Special Policy No. 2 is hereby created
11 to read:

12 "The City of Belle Glade may annex land East of the City
13 limits between State Road 80 and Airport Road, West of Duda Road, and
14 rezone to densities up to three units per acre (3 du/ac)".

15 J. Page 5, Land Use Map Categories, Commercial; the following
16 language is hereby added after the second paragraph:

17 "Commercial uses may be established at any location within
18 the Urban Service Area as a "Limited Commercial District." The purpose
19 of such a district is to provide flexibility in use, design and location
20 of those commercial uses which normally do not require specific site
21 requirements related to traffic and major intersection access.

22 It is the intent of this section that any such Limited
23 Commercial District shall be a "floating zone" similar in nature to a
24 "Planned Industrial District," and that similar constraints to development
25 be incorporated into the "Limited Commercial District" Ordinance. Such
26 constraints shall include certification and evidence that a current market
27 exists for the uses proposed, types, numbers and areas of land uses, size
28 of District, compatibility of surrounding uses, as well as all requirements
29 of the Comprehensive Plan regarding Performance Standards. In addition,
30 it is the intent of this section that any District so established, shall
31 be required to provide more detailed site planning than normal commercial
32 properties, and that such site plans and their subsequent implementation
33 provide projects of exceptionally high quality which do not adversely
34 impact the surrounding community and which address specific community
35 needs. Specific requirements, including permitted uses, use mixes
36 locational criteria and site standards shall be established as part of

1 the Palm Beach County Zoning Ordinance.

2 SECTION II. REPEAL OF CONFLICTING ORDINANCES

3 All ordinances or parts of ordinances in conflict herewith
4 are hereby repealed to the extent of such conflict.

5 SECTION III. SEVERABILITY

6 Should any section or provision of this ordinance or any
7 portion thereof, any paragraph, sentence or word ever be declared by a
8 Court of Competent Jurisdiction to be invalid, such decision shall not
9 affect the validity of the remaining portions of this ordinance.

10 SECTION IV. EFFECTIVE DATE

11 The provisions of this ordinance shall become effective upon
12 receipt of acknowledgment by the Department of State, State of Florida.

13 APPROVED and ADOPTED by the Board of County Commissioners of
14 Palm Beach County, Florida on the 3rd day of November, 1981.

15
16 PALM BEACH COUNTY, FLORIDA, BY ITS
17 BOARD OF COUNTY COMMISSIONERS

18 By: [Signature]
19 Chairman NOV 3 1981

20 Acknowledged by the Department of State of the State of
21 Florida, on this, the 10th day of November, 1981.

22 EFFECTIVE DATE: Acknowledgment from the Department of State
23 received on the 12th day of November, 1981, at
24 10:55 A.M., and filed in the office of the Clerk of the Board of
25 County Commissioners of Palm Beach County, Florida.

26
27 APPROVED AS TO FORM
28 AND LEGAL SUFFICIENCY

29
30 By: [Signature]
31 County Attorney